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8 Attorneys for Plaintiff
9 **BILLY JOE BRATCHER**

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12
13 IN RE: BEXTRA AND CELEBREX
14 MARKETING, SALES PRACTICES
15 AND PRODUCTS LIABILITY
16 LITIGATION

} Case No. M:03-CV-01699-CRB

} MDL No. 1699

} JUDGE BREYER

17 This document relates to:

18 **BILLY JOE BRATCHER**
19 **Individual Case No. 3:06-cv-00137-CRB**

} **STIPULATION AND ORDER OF**
20 **DISMISSAL ONLY AS TO CASE**
21 **NUMBER CV 05-6249-SJO,**
22 **ORIGINALLY FILED IN THE**
23 **CENTRAL DISTRICT OF**
24 **CALIFORNIA**

25 **IT IS HEREBY STIPULATED AND AGREED** by and between counsel
26 for Plaintiff and counsel for Defendants that the Complaint of Plaintiff Billy Joe
27 Bratcher, Case Number CV 05-6249-SJO, originally filed in the Central District of
28 California on August 25, 2005 and later transferred to MDL No. 1699, *In Re: Bextra*
and Celebrex, Marketing, Sales Practices and Products Liability Litigation, with the
assigned individual case number 3:06-cv-00137-CRB, may be and is hereby
dismissed without prejudice.

1 The parties hereby stipulate that Plaintiff will proceed in the MDL only
2 through the California action, and jurisdiction and venue for the trial of the action
3 will be proper in whichever of the following is selected by Pfizer: San Francisco,
4 Los Angeles, Missouri.

5 The parties shall each bear their own costs.

7 Dated: May 8, 2006

ROBINSON, CALCAGNIE & ROBINSON

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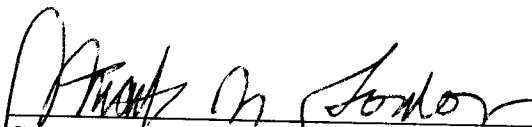
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20 *Counsel for Plaintiff*

21 BILLY JOE BRATCHER

22 Dated: May 15, 2006

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Defendants' Liaison Counsel

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**
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4 Dated: May 18, 2006
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